

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

UNITED STATES SECURITIES)
AND EXCHANGE COMMISSION,)

Plaintiff,)

v.)

VEROS PARTNERS, INC,)
MATTHEW D. HAAB,)
JEFFERY B. RISINGER,)
VEROS FARM LOAN HOLDING LLC,)
TOBIN J. SENEFELD,)
FARMGROWCAP LLC,)
PINCAP LLC, and)

Defendants,)

PIN FINANCIAL LLC,)

Relief Defendant.)

Case No. 1:15-cv-659-JMS-MJD

**RECEIVER’S MOTION FOR AUTHORITY
TO DISTRIBUTE FIFTY PERCENT OF BROKER-DEALER
VEROS FEES TO MAINSOURCE BANK**

William E. Wendling, Jr., the Receiver herein, by counsel, respectfully requests the Court’s authority to distribute fifty percent (50%) of the Veros fee out of the distribution to investors in the Veros Private Placement of Loans Offered by Tobin J. Senefeld & Jeffery B. Risinger (to acquire a FINRA-licensed broker-dealer to perform investment banking services), hereinafter referred to as “Broker-Dealer,” to MainSource Bank and in support thereof, states as follows:

1. On February 10, 2017, the Receiver filed his Motion for Authority to Transfer Funds and Make Final Distribution to Investors in Veros Private Placement Senefeld and

Risinger Loan (hereinafter referred to as “Broker-Dealer”) [[Filing No. 353](#)], which was approved by the Court on February 14, 2017 [[Filing No. 356](#)]. Specifically, the Receiver requested authority to transfer \$198,182.49 from the Pin Financial General Receiver account and to make a final distribution of that amount to the Broker-Dealer investors on a pro-rata basis. Pursuant to the loan documents for this private placement, Veros was to be paid a fee on this distribution which amounts to the sum of \$10,146.58. Accordingly, the Receiver has retained the sum of \$10,146.58 from the Broker-Dealer distribution for the Veros Fee related to this private placement and has notified the investors of the same.

2. Pursuant to paragraph (e) of the Court’s Order on Stipulation Regarding Veros Assets [[Filing No. 181, at ECF p. 2](#)], the Receiver is to file a motion with the Court requesting authority to distribute 50% of any future fees, revenue or income with respect to each and every other Veros Asset.

3. Pursuant to paragraph (h) of the Court’s Order on Stipulation Regarding Veros Assets, MainSource’s right to receive 50% of Veros’s future fees, revenue or income, including but not limited to funds from Veros’s private placements, shall expire when Veros’s secured debt to MainSource is paid in full. MainSource is to track all payments it receives pursuant to the Stipulation Regarding Veros Assets [[Filing No. 177](#)], or from any other source, in satisfaction of the debt and will reduce the amount owed by Veros by the appropriate amount [[Filing No. 181, at ECF p. 3](#)].

4. Accordingly, the Receiver proposes to distribute 50% of the \$10,146.58 Veros Fee to MainSource Bank, which amount (\$5,073.29) shall be applied to Veros’ secured debt pursuant to paragraph (h) of the Court’s Order on Stipulation Regarding Veros Assets [[Filing No. 181, at ECF p. 3](#)].

5. MainSource Bank, the SEC, and Veros consent to the relief requested in this motion.

6. Counsel for the United States Securities and Exchange Commission and counsel for MainSource Bank have reviewed this motion and have no objection to the same.

WHEREFORE, the Receiver, by counsel, requests that this Court enter an order authorizing the Receiver to distribute \$5,073.29 to MainSource Bank, which amount shall be applied to Veros' secured debt pursuant to paragraph (h) of the Court's Order on Stipulation Regarding Veros Assets, and for all other proper relief.

Respectfully submitted,

By s/Anne Hensley Poindexter.
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Counsel for the Receiver

Certificate of Service

I hereby certify that on March 21, 2017, a copy of the foregoing ***Receiver's Motion for Authority to Distribute Fifty Percent of Broker-Dealer Veros Fees to MainSource Bank*** was filed electronically. Notice of this filing will be made on all ECF-registered counsel by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

s/Anne Hensley Poindexter.
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**ORDER ON RECEIVER’S MOTION FOR AUTHORITY
TO DISTRIBUTE FIFTY PERCENT OF BROKER-DEALER
VEROS FEES TO MAINSOURCE BANK**

WHEREAS this matter has come before this Court upon the Receiver’s Motion for Authority to Distribute Fifty Percent of Broker-Dealer Veros Fees to MainSource Bank;

WHEREAS the Receiver has retained fees on behalf of Veros Partners, Inc., in the amount of \$10,146.58 from the Broker-Dealer distribution and the Receiver proposes to distribute 50% of said amount to MainSource Bank pursuant to paragraph (e) of the Court’s Order on Stipulation Regarding Veros Assets entered February 16, 2016 [[Filing No. 181](#)], which amount shall be applied by MainSource to Veros’ secured debt as set forth in paragraph (h) of the Court’s Order on Stipulation Regarding Veros Assets [[Filing No. 181, at ECF p. 3](#)];

WHEREAS the Court finds that the Receiver's request to distribute these funds is reasonable and necessary pursuant to the Court's Order on Stipulation Regarding Veros Assets [[Filing No. 181](#)];

IT IS THEREFORE ORDERED THAT the Receiver shall distribute to MainSource Bank \$5,073.29 which MainSource shall apply to the balance owed by Veros on its secured debt to MainSource pursuant to paragraph (h) of the Court's Order on Stipulation Regarding Veros Assets.

Dated: _____

Honorable Jane Magnus-Stinson, Judge
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA

Distribution:

All ECF-registered counsel of record via email generated by the court's ECF system